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APPLICATION NO.	FILI	NG DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,302	09/	30/2003	Kenneth John Giewont	FIS920030204 4100	
7590 03/29/2006				EXAMINER	
Frederick W.			KASTLER, SCOTT R		
McGinn & Gil Suite 304	bb, PLLC		ART UNIT	PAPER NUMBER	
2568-A Riva			1742		
Annapolis, M	D 21401			DATE MAILED: 03/29/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of mem ray be emiliated used the provisions of 37 PR1 1306, in the event, there are the provision of 17 PR1 1306, in the event theorem, may a reply be threaly filled. If NO period for reply is appelled above, the maximum stellutory period will apply and will expire SIX (5) MONTH'S from the mailting date of this communication. Fallwho to reply within the sof or extended period for righy will, by statute, scene the application become absNOCENCIO, SIX U.S. C. § 135). Prior to provide the state of the communication, even if filled part of the communication and provided and pro		·	. (
## Examiner Art Unit 1742 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extension of time may be available under the provisions of 3° CFR 1.13(e). In no event, however, may a reply be timely filed. - If the provision is the provision of 3° CFR 1.13(e). In no event, however, may a reply be timely filed. - If the provision is the serior extended period for reply will, by tabulary period will apply and well explicit (MONTH's from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by tabulary period will apply and well explicit (MONTH's from the mailing date of this communication, event if this plant to the provision of the provision of the mailing date of the communication, event if this plant is the provision of the provision of the mailing date of the communication, event if this plant is the provision of the provision of the mailing date of the communication, event if this plant is the provision of the above claim(s) 15-20 is/are withdrawn from consideration. - Spill claim(s) 1-20 is/are allowed. - Claim(s) 1-20 is/are objected to by the Examiner. - Application Papers - Provision of the provision of the provision of the date of the provision of th		Application No.	Applicant(s)					
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3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) ☐ Notice of Informal Patent Application (PTO-152)								
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Election/Restrictions

Claims 15-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Election was made without traverse in the reply filed on 2/22/2006.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Cantell et al.

Cantell et al teaches a system (50) which can be employed for the forming of a silicide on a silicon material including a plurality of vacuum chambers (10, 30 for example) with a vacuum transfer means between chambers (see col. 4 lines 48-55 for example), a heater chuck (16, 14) for holding a substrate to be treated where the chuck is heated resistively, and where the separate vacuum chambers contain metal formation tools (sputtering in chamber 30 for example), annealing (which requires a heating tool) in a separate chamber of the device (50) with a second heating tool (see col. 5 lines 58-65 for example), and an etching or cleaning device in another vacuum chamber (10) thereby showing all aspects of the above claims since the system of Cantell et al could perform the recited functions of the instantly claimed apparatus (treatment of specific materials at specific temperatures) and it has been well settled that where a prior art apparatus can perform the functions of a claimed apparatus, the manner or method of use of an

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apparatus cannot be relied upon to fairly further limit claims to the apparatus itself. See MPEP 2114.

Claims 1, 3-8 and 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by

Hirose et al. Hirose et al teaches a system (figure 1) which could be employed for the forming of
a silicide on a silicon material including a plurality of vacuum chambers (2 and 4) with a vacuum
transfer means between chambers (5), where the separate vacuum chambers contain metal
formation tools (3), and a heating tool (6) in separate chambers of the device thereby showing all
aspects of the above claims since the system of Hirose et al could perform the recited functions
of the instantly claimed apparatus (treatment of specific materials at specific temperatures) and it
has been well settled that where a prior art apparatus can perform the functions of a claimed
apparatus, the manner or method of use of an apparatus cannot be relied upon to fairly further
limit claims to the apparatus itself. See MPEP 2114.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Kastler whose telephone number is (571) 272-1243. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on (571) 272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Scott Kastler Primary Examiner Art Unit 1742

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